



10/13 100

Y NO: 21715/1010



Assistant Commissioner of Patents  
Box Patent Applications  
Washington, D.C. 20231

Express Mail Label No.: EL591997825US

Enclosed herewith is a continuing patent application and the following papers:

First Named Inventor (or application identifier): **Jerry Pelletier, Philippe Gros and Mike DuBow.**

Title of Invention: **"COMPOSITIONS AND METHODS INVOLVING AN ESSENTIAL STAPHYLOCOCCUS AUREUS GENE AND ITS ENCODED PROTEIN"**

- ☐ Continuation
- ☐ Divisional
- ☒ Continuation-in-Part

of prior application No. 09/470,512 filed 12/22/99

1. ☒ Specification 104 pages (including specification, claims, abstract) / 52 claims (24 independent)
2. ☒ Declaration/Power of Attorney:
  - ☐ Copy from Prior Application (for continuation or divisional application)
  - ☒ New Declaration, unexecuted (for CIP application)
  - ☐ Deferred under 37 C.F.R. § 1.53(f)
  - ☐ Deletion of Inventor(s) - Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b)
  - ☐ Incorporation by Reference - The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein
3. ☒ 39 Distinct sheets of ☐ Formal ☒ Informal Drawings
4. ☐ Preliminary Amendment (to be filed)
5. ☐ Information Disclosure Statement
  - ☐ Form 1449 (Please obtain copies of cited references from the parent application, Serial No.: )
  - ☐ Information Disclosure Statement under 37 CFR §§ 1.56, 1.97 AND 1.98
  - ☐ A copy of each cited prior art reference
6. ☐ Assignment
  - ☐ Assignment with Cover Sheet attached, unexecuted.
  - ☐ Assignment filed in prior application.
7. ☐ Priority is hereby claimed under 35 U.S.C. § 119 based upon the following application(s):

09/689952 "10/12/00"

Country	Application Number	Date of Filing (day, month, year)
US	60/110,992	3 December 1998

- Priority is hereby claimed under 35 U.S.C. § 120 based upon the following application(s):

Country	Application Number	Date of Filing (day, month, year)
US	09/470,512	22 December 1999
US	09/407,804	28 September 1999

8. ☐ Priority Document(s)  
☐ was filed in prior application  
☐ is attached  
☐ will be submitted prior to or concurrently with the payment of any issue fee for the instant application

9. ■ Small Entity Statement  
☒ Pursuant to 37 CFR 1.27, Applicants claim small entity status.  
☐ is no longer claimed

10. ☐ Microfiche Computer Program (Appendix)

11. ☐ Nucleotide and/or Amino Acid Sequence Submission  
☐ Computer Readable Copy  
☐ Paper Copy (identical to computer copy)  
☐ Statement verifying identity of above copies

12. Calculation of Fees: including claims added by preliminary amendment

FEES FOR	EXCESS CLAIMS	FEE	AMOUNT DUE
Basic Filing Fee (37 C.F.R. § 1.16(a))			\$710.00
Total Claims in Excess of 20 (37 C.F.R. § 1.16(c))	32	18.00	\$576.00
Independent Claims in Excess of 3 (37 C.F.R. § 1.16(b))	21	80.00	\$2,966.00
Multiple Dependent Claims (37 C.F.R. § 1.16(d))		270.00	\$0.00
Subtotal – Filing Fee Due			\$2,966.00
	REDUCE BY (%)(\$)		
Reduction by 50%, if Small Entity (37 C.F.R. §§ 1.9, 1.27, 1.28)	0.50		\$1,483.00
<b>TOTAL FILING FEE DUE</b>			<b>\$1,483.00</b>
Assignment Recordation Fee (if applicable) (37 C.F.R. § 1.21(h))		40.00	\$0.00
<b>GRAND TOTAL DUE</b>			<b>\$1,483.00</b>

13. PAYMENT is:  
☒ included in the amount of the GRAND TOTAL by our enclosed check.  
☐ not included, but deferred under 37 C.F.R. § 1.53(f). Payment will be submitted w/ response to Notice of Missing Parts

14. All correspondence for the attached application should be directed to:

Facsimile: (617) 227-4420

Other:

Reg. No. 34,380

[illegible]

10/12/00



10943 U.S. PRO

10-13-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



10943 U.S. PRO  
256689/60

Application of: Pelletier et al.  
Serial No.: Not Assigned Yet  
Filed: Concurrent Herewith  
Entitled: COMPOSITIONS AND METHODS  
INVOLVING AN ESSENTIAL  
STAPHYLOCOCCUS AUREUS GENE  
AND ITS ENCODED PROTEIN

Examiner:

Art Unit:

Atty. Docket No.: 21715/1010  
Assistant Commissioner for Patents  
Box Patent Application  
Washington, D.C. 20231

TRANSMITTAL LETTER

Enclosed for filing in the above-identified patent application, please find the following documents:


1. Certificate of Express Mailing;
2. Continuation – In – Part Application;
3. Specification 104 pages & Informal Drawings 39 pages;
4. Unexecuted Declaration/Power of Attorney Statement;
5. A Check in the amount of \$1,483.00 for Requested Filing Fee; and,
6. Return Post Card.

The Assistant Commissioner for Patents is hereby authorized to charge any additional fees or credit any overpayment in the total fees to Deposit Account No. 16-0085, Reference No: 21715/1010; A duplicate of this transmittal letter is enclosed for that purpose.

Respectfully submitted,

Date

10/12/00

  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JCS13 U.S. PRO  
09/689952  
10/12/00

Application of: Pelletier et al.

Serial No.: Not Assigned Yet

Filed: Concurrent Herewith

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Examiner:

Art Unit:

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Assistant Commissioner for Patents  
Box Patent Application  
Washington, D.C. 20231

CERTIFICATE OF EXPRESS MAILING

I hereby certify that the papers attached hereto are being deposited with the United States Postal Service using "Express Mail to Addressee" service, **Express Mail No. EL591997825US** on this date, **October 12, 2000**, postage prepaid, under 37 C.F.R. §1.10 in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231.

Kathleen M. Williams, Ph.D

Name of Person Mailing Paper



Signature of Person Mailing Paper